



#11

PATENT  
0941-0486P

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: LIN, Tsung-Wei Conf.: 1084  
Appl. No.: 09/290,608 Group: 2292  
Filed: April 13, 1999 Examiner: CLIFF N. VO  
For: METHOD OF PROCESSING DIVERSE THREE-DIMENSIONAL  
GRAPHIC OBJECTS

**PETITION UNDER 37 C.F.R § 1.84(a)(2)**  
**TO ACCEPT COLOR DRAWINGS AND/OR PHOTOGRAPHS**

Assistant Commissioner for Patents  
Washington, DC 20231

January 6, 2003

Sir:

Applicant hereby petitions that color drawings under 37 C.F.R. § 1.84(a)(2) be accepted in the above-identified application.

Color drawings are necessary as they are the only practical medium by which the subject matter of the present application can be disclosed.

1. Fee Payment (37 C.F.R. § 1.17(h)):

A check in the amount of \$130.00 is enclosed.  
 Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

2. Color Drawings

Color drawings were provided with the filing of this application. It is believed that they are of sufficient quality that all details will be reproducible in black and white in the printed patent.

3. Amendment to the Specification

An Amendment is being submitted concurrently herewith, providing reference to the color drawings in the first paragraph of the brief description of the drawings.

It is noted that black and white photocopies of any color drawing or photograph are no longer required under 37 CFR 1.84(a)(2)(iii) as of October 1, 2001.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Joe McKinney Muncy  
Joe McKinney Muncy, #32,334

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KM/asc  
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(Rev. 11/26/02)



#14 DACS

BOX DAC  
PATENT  
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Appl. No.: 09/290,608 Group: 2292  
Filed: April 13, 1999 Examiner: CLIFF N. VO  
For: METHOD OF PROCESSING DIVERSE THREE-  
DIMENSIONAL GRAPHIC OBJECTS

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

Attention: Office of Petitions  
Assistant Commissioner for Patents  
**BOX DAC**  
Washington, DC 20231

January 6, 2003

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

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OFFICE OF PETITIONS

1. Petition fee

It is respectfully submitted that the present Petition should be unnecessary. As set forth in the Petition, a first Office Action was mailed on October 4, 2001. The Office Action was not received by the former attorneys in the law firm of Darby & Darby, PC, until May 6, 2002. Meanwhile, a Notice of Abandonment was allegedly mailed but has not been received. It had been requested that a new statutory period for responding to the first Office Action be set. This Petition of August 1, 2002 has not yet been answered.

On August 13, 2002, a Letter Requesting that the Response Period Be Restarted was also filed. This Letter was followed up with a Status Inquiry on October 7, 2002, as well as numerous phone calls to the U.S. Patent and Trademark Office. To date, this Petition issue has not yet been resolved. A separate Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) is being filed concurrently herewith.

It is believed that this patent application has inadvertently been abandoned by the U.S. Patent and Trademark Office due to their failure to act on any of the previously submitted petitions. Fees under 37 CFR 1.17(m) should not be necessary. However, in order to ensure that the pendency of the application is maintained, the required small entity fee of \$650.00 is authorized to be charged to deposit account No. 02-2448, if necessary.

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of (identify type of reply):

has been filed previously on .  
 is enclosed herewith.

B. The issue fee of \$0.00

has been paid previously on .  
 is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 C.F.R. § 1.20(d)) of \$55.00 for a small entity or \$110.00 for other than a small entity) disclaiming the required period of time is enclosed herewith.

4. Statement: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

No fee is required.  
 Check(s) in the amount of \$0.00 is/are enclosed.  
 Please charge Deposit Account No. 02-2448 in the amount of \$650.00, if necessary as noted above. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Joe McKinney Muncy  
Joe McKinney Muncy, #32, 334

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Falls Church, VA 22040-0747  
(703) 205-8000

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Attachments:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other:

(Rev. 12/29/02)

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